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TO: SUPERVISOR ZEV YAROSLAVSKY, Chairman
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FROM: LLOYD W. PELLMAN 
County Counsel

RE: **California Supreme Court Rules in Favor of County and the
Sheriff's Department in Wrongful Death Lawsuit
Zelig, a Minor, et al. v. County of Los Angeles, et al.
California Supreme Court Case No. SO81791**

This is to inform you that the California Supreme Court reversed the Court of Appeal and ruled in favor of the County of Los Angeles and the Sheriff's Department in this matter. The California Supreme Court held that the plaintiffs, minor children of a woman who was shot to death by her former husband in a Los Angeles courthouse, may not state a cause of action against the County or the Sheriff's Department.

This case arose when Eileen Zelig was murdered by her former husband inside the Central Civil Courthouse in Los Angeles on September 1, 1995. Eileen Zelig and her former husband were in the courthouse for the purpose of attending a family court hearing regarding spousal and child support.

The issue decided by the California Supreme Court was whether the County of Los Angeles could be liable for failing to provide adequate security against third party violence inside the courthouse. The Court held that a State statute afforded governmental immunity for failure to provide sufficient police services. Additionally, the Supreme Court ruled that Eileen Zelig's death was not caused by a dangerous condition of public property. Finally, the Supreme Court held that plaintiffs could not state a civil rights claims against the County because Eileen Zelig's death was caused by a third person and not a County Employee.

If you or your staff would like a copy of the Supreme Court's Opinion, please contact Principal County Counsel Johanna M. Fontenot at 974-1856.

LWP:JMF:scr

c: Sheriff Leroy D. Baca

David E. Janssen
Chief Administrative Officer

Violet Varona-Lukens, Executive Officer
Board of Supervisors